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District of Nevada

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Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GAIL ALBANESE,

Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

Case No. 2:16-cv-02350-JAD-VCF

**AMENDED UNOPPOSED MOTION FOR
EXTENSION OF TIME
(FIRST REQUEST)**

Defendant Nancy A. Berryhill, Acting Commissioner of Social Security ("Defendant") respectfully requests that the Court extend the time for Defendant to file her RESPONSE TO PLAINTIFF'S COUNSEL'S MOTION FOR ATTORNEY FEES PURSUANT TO 42 U.S.C. § 406(b). Defendant's response is presently due on September 20, 2018 (CR 34), and Defendant seeks to extend the due date by fourteen (14) days to October 4, 2018. An extension of time is needed because Defendant's counsel needs additional time to consult with the Defendant agency in order to verify and document the amounts awarded to Plaintiff resulting from Court ordered remand, and to verify and

1 document the amounts withheld by the Defendant agency for purposes of payment of 406(b) fees. This
2 is Defendant's first request for an extension. The motion is made in good faith with no intention to
3 unduly delay the proceedings.

4 Counsel for Defendant conferred with Plaintiff's counsel, who has no opposition to this motion,
5 on September 19, 2018.

6 Respectfully submitted this 19th day of September 2018.

7 DAYLE ELIESON
8 United States Attorney

9 /s/ Ben A. Porter
10 BEN A. PORTER
Special Assistant United States Attorney

11 OF COUNSEL:

12 DEBORAH LEE STACHEL
13 Regional Chief Counsel, Region IX
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17 IT IS SO ORDERED:

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19 CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

20 DATED: 9-19-2018
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1 **CERTIFICATE OF SERVICE**

2 I, Ben A. Porter, certify that the following individual was served with a copy of the
3 **UNOPPOSED MOTION FOR EXTENSION OF TIME** on the date and via the method of service
4 identified below:

5 **CM/ECF:**

6 JOSEPHINE M. GERRARD (CBN 313221)
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9 Berkeley, California 94707
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10 Dated this 19th day of September 2018.

11 /s/ Ben A. Porter
12 BEN A. PORTER
13 Special Assistant United States Attorney
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